

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MARK LEMOGE; ROXINA LEMOGE,

Plaintiffs,

vs.

UNITED STATES OF AMERICA; and  
DOES 1 to 100, inclusive,

Defendants.

CASE NO. 07cv0620-ALB (AJB)

**DISMISSAL ORDER**

By Order entered September 19, 2007, this court instructed plaintiff within ten (10) days to file a Notice of Voluntary Dismissal pursuant to FED.R.CIV.P. 41(a)(1) or a Declaration showing good cause why the court should not dismiss this action for failure to prosecute. Dkt No. 3. As of the date of this Order, plaintiff has filed no response. As noticed in the Order To Show Cause, **IT IS HEREBY ORDERED** the court accordingly *sua sponte* dismisses this action in its entirety, without prejudice.

**IT IS SO ORDERED.**

DATED: October 9, 2007

Larry A. Burns

HONORABLE LARRY ALAN BURNS  
United States District Judge